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7 Attorneys for the USACM Liquidating Trust

9  
10 UNITED STATES BANKRUPTCY COURT  
11 DISTRICT OF NEVADA

12 In re:

13 USA COMMERCIAL MORTGAGE  
COMPANY,

14 USA CAPITAL REALTY ADVISORS,  
LLC,

15 USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

16 USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

17 USA SECURITIES, LLC,

18  
19 Debtors.

20 Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

21 CHAPTER 11

22 Jointly Administered Under Case No.  
BK-S-06-10725-LBR

23 **Notice to Joseph W. & Victoria Sabia  
of the USACM Liquidating Trust's  
Objection to Claim(s) and Motion For  
Summary Judgment Regarding Same  
Claims**

24 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

25 **NOTICE IS HEREBY GIVEN** to Joseph W. & Victoria Sabia that on July 30,  
26 2007, the USACM Liquidating Trust ("USACM") filed an objection to Claim No(s).  
27 107275-02505 (the "Objection") and a Motion for Summary Judgment (the "Motion") on  
28

1 those same claim(s). Along with this notice, USACM is serving Joseph W. & Victoria  
2 Sabia with a copy of both the Objection and the Motion.

3 Joseph W. & Victoria Sabia filed Proof of Claim No(s). 107275-02505, which  
4 asserted secured claim(s) against USA Commercial Mortgage Company. The Objection  
5 and the Motion dispute the assertion of secured claim status and ask the Court to reclassify  
6 your claim(s) as a general unsecured claim. This is not an objection to your claim as a  
7 direct lender or to the security interest you as a direct lender have in your borrowers'  
8 property as collateral. Rather, the Objection and the Motion argue that your claim(s) are  
9 not secured by property of the bankruptcy estate.

10 **PLEASE DO NOT CONTACT THE CLERK OF THE COURT OF THE**  
11 **BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.**  
12 **QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A**  
13 **CLAIM SHOULD BE DIRECTED TO BMC GROUP AT 888-909-0100,**  
14 **WWW.BMCGROUP.COM/USACMC, OR TO UNDERSIGNED COUNSEL.**

24 If you object to the relief requested in the Objection/Motion, you *must* file a  
25 **WRITTEN** response to this pleading with the Court. You *must* also serve your  
26 written response to the person who sent you this notice.

27 If you do not file a written response with the Court, or if you do not serve your  
28 written response on the person who sent you this notice, then:

- 1      • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 2      • The Court may *rule against you* without formally calling the matter at the
- 3              hearing.

4              **NOTICE IS FURTHER GIVEN** that the hearing on the Objection/Motion will be  
5              held before a United States Bankruptcy Judge, Courtroom No. 1, Foley Federal Building,  
6              300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 on **October 15, 2007** at the  
7              hour of **9:30 a.m.** The hearing may be continued from time to time with notice to parties  
8              appearing.

9              Dated July 30, 2007.

10              **LEWIS AND ROCA LLP**

11              By /s/ RC (#6593)  
12              Susan M. Freeman, AZ 4199 (*pro hac vice*)  
13              Rob Charles, NV 6593  
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